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June 22, 2017

Via email to: Donna Rawls drawls@fec.gov

Mr. Jeff S. Jordan, Esq.
Assistant General Counsel
Complaints Examination & Legal Administration
Federal Election Commission
999 E Street NW
Washington, DC 20463

Re: RR 17L-16 - Reform America Fund

Dear Mr. Jordan:

The undersigned serves as counsel to Reform America Fund, an independent expenditures only committee registered with the Federal Election Commission ("the Committee"). Your letter dated June 7, 2017 has been forwarded to me for review and response.

The referral is based upon the Reports Analysis Division's ("RAD") determination that there were two 24-hour reports that should have been filed on November 1, 2016 for 2 independent expenditures, each for \$522,128.23, in a total amount of \$1,044,256.46.

The Committee, its treasurer and its compliance vendor have reviewed the situation and have provided information to RAD regarding the missing report.

The Commission has asked for additional comments in response to the RAD Referral, to which the Committee now offers the following:

1. The Committee created a compliance system at the outset of the election cycle to ensure that all reports were properly recorded and timely reported. The system involved the treasurer's receipt / review of all invoices and placement information, which were then processed internally for payment and inclusion on the FEC reports. An FEC Compliance vendor with expertise and staff capability for preparing and filing the regular and 24/48 hour reports of independent expenditures was retained and a system put in place for managing the filing of all required reports.

2. The Committee made \$6,225,955.33 in independent expenditures and filed all other reports on time, as required by law.



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3. In reviewing the correspondence between the treasurer and the FEC compliance vendor regarding this disbursement, it appears that there was some confusion about the ad at issue, because the additional funds spent were "adding on" to a previously reported buy for the same communication. There was an intent to file the report disclosing the additional placement costs, but somehow that just did not get prepared and filed and was somehow lost in the shuffle.

4. The disbursement was actually only a single payment for additional media placement for one ad, already airing at the time of the payment.

5. The Committee timely filed 12 reports reflecting 32 transactions. The Committee made a genuine effort to file all reports as required by law and, in fact, disclosed this very expenditure on the post-general report filed on December 7, 2016. Clearly, there was no intention to fail to report any independent expenditure. Just the opposite.

The simple fact is that this one disbursement for an additional purchase of airtime for an ad that was already airing just somehow fell through the cracks through the flurry of activity in the closing days before the 2016 general election.

The Committee did report the information on the post-General report filed 36 days later. The Committee acknowledges that the report was not filed within twenty-four hours, on November 1, 2016, the original due date. But the Committee did disclose the independent expenditure and regrets that this one report was not timely filed, even after the Committee had taken steps to make sure that there were not glitches in its reporting system.

The Committee has reviewed its procedures and protocols to try to ensure that all disbursements are all timely reported and that inadvertent errors such as this one do not recur.

Because this failure to file was inadvertent and because the Committee has demonstrated an excellent track record of timely filings of its other reports, we hereby respectfully request that no further action be taken on this matter.

Please contact me at (202) 295-4081 if you have additional questions. Thank you for your consideration.



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Sincerely,

/s/ Cleta Mitchell

Cleta Mitchell, Esq., Counsel
Reform America Fund

cc: Lorri Pickens, Treasurer